

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31638 of 2015

Arising Out of PS.Case No. -104 Year- 2015 Thana -SIMRI District- BUXAR

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1. Madhusudan Chaudhary S/o Chandrma Choudhary Resident of Village
Durasan, P.S. Simri, District Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rohit Kumar

For the Opposite Party/s : Mr. Anil Kumar Singh 1(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 05-11-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Semari
P.S. Case No. 104 of 2015 registered for the offence punishable
under Sections 302/34 of the Indian Penal Code and Section 27 of
the Arms Act.

Poonam Devi aged 45 years was shot dead by the
petitioner and other co-accused when she was returning from
court.

Submission is of false implication due to dirty village
politics, there is land dispute, there is no eye witness of the
occurrence, the prosecution story is improbable, nothing has been
recovered from possession of the petitioner and petitioner

voluntarily surrendered and is suffering in custody since 28.05.2015.

Learned APP submits that the witnesses have supported the prosecution version but it is true that there is no eye witness of the occurrence.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Semari P.S. Case No. 104 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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